

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16427 of The Georgetown University, pursuant to 11 DCMR 3108.1, for a special exception under Section 210 to allow construction of a residence hall and dining facility under an approved campus plan for property located in an R-3 District at premises 3700 O Street, N.W. (Square 1321, Lot 1).

HEARING DATE: March 17, 1999
DECISION DATE: March 17, 1999 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2E and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 2E. ANC 2E, which is automatically a party to this application, submitted a written statement of issues and concerns related to the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for special exception pursuant to 11 DCMR Subsection 210. No person or entity appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that this application be **GRANTED, SUBJECT** to the following conditions:


1. The Georgetown University shall adhere to its statement that the purpose of this project is not to increase enrollment but to remove a large number of students living in the neighborhoods.
2. The university shall keep ANC 2E and other community associations surrounding the university informed on all aspects of this project throughout the construction of the project.

3. The university shall, to the greatest extent possible, keep construction vehicles out of the surrounding neighborhoods throughout the construction of this project.
4. The university shall consult with ANC 2E and the surrounding neighborhoods, and particularly west Georgetown, for the purpose of providing the students who reside in this residence hall, the most appropriate locations for pedestrian access ways to and from campus that are more directly onto Canal Road rather than through the residential streets of west Georgetown.
5. In the interest of safety, efficiency and maintenance of adequate parking facilities on-campus during the project's construction phase, the applicant shall not be required to apply to the Board for approval for the relocation of surface parking spaces from Parking Lot 3 to another appropriate area of the campus during such construction phase.
6. The Commission on Fine Arts and the Old Georgetown Board shall have final approval of the plans for the project.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 4-0 (Betty King, Jerry Gilreath, Sheila Cross Reid and Angel Clarens to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
SHERI M. PRUITT-WILLIAMS
Interim Director

APR 20 1999

FINAL DATE OF ORDER: _____

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE

SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT.”

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord16427/JKN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16427

As Director of the Board of Zoning Adjustment, I certify and attest that on
APR 20 1999 a copy of the decision entered on that date in this matter was
mailed first class, postage prepaid to each party in this case, and who is listed below:

Peter B. Szegedy-Maszak, Esq.
Arnold & Porter
555 12th Street, N.W.
Washington, D.C. 20004-1202

Nathan W. Gross, AICP
Arnold & Porter
555 12th Street, N.W.
Washington, D.C. 2004-1202

The chairperson
Advisory Neighborhood Commission 2E
3265 S Street, N.W.
Washington, D.C. 20007

Attested By: *Sheri M. Pruitt-Williams*
SHERI M. PRUITT-WILLIAMS
Interim Director

Attest/JKN